

Terms of reference of the GB Invasive Non-Native Species Committee (the “GB Committee”)

Remit

1. The GB Invasive Non-native Species Committee (“the GB Committee”) is established as the Committee referred to in Article 27 of EU Regulation 1143/2014 on invasive alien species as amended¹ (“the retained EU Regulation”) following the end of the transition period.
2. The GB Committee undertakes its functions for England, Wales and Scotland, including territorial waters and offshore marine areas.
3. When undertaking functions solely for Scotland, the Committee does so under The Invasive Non-native Species (EU Exit) (Scotland) (Amendment etc.) Regulations 2020, which provide that the Scottish Ministers shall be assisted by the GB Committee.
4. The GB Committee has a fundamental role in advising on the potential listing of species on, or de-listing of species from, the list of species of special concern. It will be consulted and have its opinion considered on the issuance of permits under Article 9 of the retained EU Regulation and will be notified of the introduction of emergency measures under Article 10 of that Regulation.
5. The GB Committee’s remit will not include Northern Ireland, to which the EU Regulation 1143/2014 on Invasive Alien Species still applies under the terms of the Northern Ireland Protocol.

Accountability

6. The GB Committee will report to Ministers in England, Wales and Scotland.

Purpose / Role

7. The GB Committee will:
 - a) Make recommendations to the Secretary of State and Ministers from Scotland and Wales on the listing (or de-listing) of species of special concern under Article 4(4) of the retained EU Regulation.
 - b) The GB Committee may submit to the Secretary of State or Ministers from Scotland and Wales recommendations for the inclusion of invasive alien species on their respective lists of species of special concern. Under Article

¹ As amended by the Invasive Non-native Species (Amendment etc.) (EU Exit) Regulations 2019 (SI 2019/223); the Animal Health, Alien Species in Aquaculture and Invasive Non-native Species (Amendment) (EU Exit) Regulations 2019 (SI 2019/813); and the Animal Welfare and Invasive Non-native Species (Amendment etc.) (EU Exit) Regulations 2020 (SI 2020/1590).

4(4) of the retained EU Regulation, these recommendations shall include all of the following:

- the name of the species;
 - a risk assessment carried out in accordance with Article 5(1) of the retained EU Regulation;
 - evidence that the criteria set out in Article 4(3) are met.
- c) Provide opinions on permits to be issued under Article 9 of the retained EU Regulation.²
- d) Provide advice on the use of emergency powers in relation to newly emerging INNS threats.
- e) Assist Ministers in implementing the retained EU Regulation by co-ordinating actions across GB.
- f) Oversee the work of GB Non-Native Risk Analysis Forum and approve risk assessments produced as fit for purpose.
- g) Determine its own rules of procedure under Article 27(3) of the retained EU Regulation.
8. To achieve these objectives the GB Committee will:
- a) Work across England, Scotland and Wales to provide holistic advice, taking the geographic diversity of Great Britain into account;
 - b) Identify emerging threats and species of concern.

Ways of Working

9. The GB Committee will meet 2-4 times per annum (as appropriate) and place its agenda and associated documents on the GB NNSS website.

10. Documents for GB Committee meetings will be circulated to Committee members at least 1 week in advance of meetings.

Legal Status

² Under Article 9(3), before issuing a permit under Article 9, the appropriate authority must consult and have regard to the opinion of the GB committee and the GB Non-Native Risk Analysis Forum as well as the other responsible authorities.

11. Members of the GB Committee will undertake certain functions, but their membership will not otherwise affect their legal status.
12. The GB Committee is a statutory body established under Article 27 of the retained EU Regulation.

Membership

13. Membership will continue until the Secretary of State, Welsh and Scottish Ministers acting jointly decide otherwise.
14. The Secretary of State, Welsh and Scottish Ministers acting jointly may appoint new members to the Committee.
15. The GB Committee will be chaired on rotation by senior officials from Defra, Welsh Government, and Scottish Government.
16. The GB Committee members will be senior representatives from Defra, the Scottish Government and the Welsh Government and their agencies as set out below. The GB Committee will be composed solely of government and agency representatives.
17. Members of the GB Committee will be:

Territorial Responsibility	Governments, Agencies and Arm's Length Bodies
UK	Defra – National Biodiversity and Ivory Policy
UK	Defra – Plant Health policy
UK	Defra – Fisheries policy
UK	Defra – Marine policy
UK	Joint Nature Conservation Committee (JNCC)
GB	Animal and Plant Health Agency (APHA)
England	Natural England (NE)
England	Environment Agency (EA)
England	Forestry Commission England (FC)
England	Marine Management Organisation (MMO)
Wales	Welsh Government (WG)
Wales	Natural Resources Wales (NRW)
Scotland	Scottish Government (SG)
Scotland	NatureScot
Scotland	Scottish Environment Protection Agency (SEPA)

Scotland	Scottish Forestry (from 01/04/2019)
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